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Data-driven, multi-track ethics training: The San Diego experience

By Music McCall, MA

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After a series of highly publicized ethical lapses whose high point (or low point, depending on your point of view) was the city being dubbed "Enron by the Sea," San Diego got serious about ethics. The election of a new mayor in November 2005 spawned the creation of the Office of Ethics and Integrity (OEI), an ethics and compliance-focused department responsible for designing and implementing a comprehensive ethics program for the city's 10,000 employees.

OEI functions include providing ethics training, resources, and advice, and until recently, management of a whistleblower hotline. As one of its first major initiatives, the office commissioned the nonprofit Ethics Resources Center to conduct a survey of employees' perception of the city's ethical climate. The results revealed that many employees are unsure about ethics-related policies and procedures in place at the city, and that many workers lack trust in the city's confidential process for reporting misconduct. OEI used the survey results to refine the planning of training and education efforts needed to improve the city's ethical climate, and implemented a multi-track ethics training program that covers both compliance and ethical decision-making and problem-solving. The strategy also included specialized training for top and middle management.

Top management

The combination of a new mayor, a new group of executives leading the city, and a new ethics office made the decision a no-brainer: to begin the ethics training program with a session for senior management. Because leaders set the tone and develop the vision of an organization, as well as shape the behavior of employees, OEI kicked off its ethics training program with two "Executive Leadership Ethics Roundtable" sessions, facilitated by experts in government ethics from the Markkula Center for Applied Ethics at California's Santa Clara University.

The sessions served as a first step in getting the new senior management team on the same page, introducing the city's executive leadership to critical issues and national patterns in local government ethics, and beginning a conversation about how the City of San Diego can strengthen and maintain a culture and practice of ethics. These roundtables included a focus on development of a culture that consistently values open and honest discussions among employees about ethical issues and decision-making without concern of adverse consequences.

Because the sessions were conducted by an outsider, all participants, including the deputy chief of ethics and integrity, were able to fully engage in the discussions and exercises. In this way, the sessions also served as a team building activity for the newly coalescing group. Further, the survey found a perception among employees that employees are treated differently based on their level in the organization – that the most senior employees

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are less accountable than those who are not in management. By training senior management first, the city sent a powerful message that no section of the city would be ignored by the ethics program.

Middle management

Via the employee ethics survey, employees told OEI that they felt a tremendous pressure to compromise the city's ethical policies and procedures. The most cited sources for pressure were top and middle management. For this reason, and because abusive or intimidating behavior was observed at a significantly greater rate than the national average, OEI created a special training specifically targeted at department directors and managers.

Together with the Executive Leadership Ethics Roundtable sessions, "Fostering and Promoting Open and Honest Communication" added momentum to a culture change in the city by providing managers with strategies and behaviors that support a strong ethical climate.

During the three-hour session, managers discussed current barriers to open and honest communication at the city, and built strategies to rebuild trust in the current atmosphere of distrust. Participants used hypothetical case studies as a starting point

for small-group discussions of what managers need to say and do to create an environment where employees are comfortable bringing forth information, asking questions, raising concerns, and voicing complaints.

Attendees noted that they enjoyed the opportunity to gather as managerial staff to share institutional knowledge and to learn from each other the techniques that support an open and honest environment. An effectively trained middle management layer is critical for supporting employees in doing the right thing (and reporting the wrong things they observe), particularly because of their interactions with non-management supervisors within the city. The survey revealed that supervisors are the primary means for reporting misconduct, so it is vital that managers model ethical conduct and encourage their supervisors to be open and honest as well.

Line-level employees

With 40% of survey respondents indicating they are not fully prepared to address ethical issues that may affect their work, it was clear that training around ethical "gray areas" was needed. What should employees do when there's no rule or regulation, or when the rule doesn't quite cover the situation? How might employees approach ethical dilemmas?

To address these questions, OEI launched an instructor-led ethics training session, called "Everyday Ethics for Everyday Decisions." The training includes realistic work-related scenarios in order to encourage participants to reflect on their own thought processes as they deal with an ethical dilemma. Through facilitated discussions and multi-step models, employees practice recognizing important decisions and using a six-step ethical decision-making process. "Everyday Ethics" includes scenarios that address the issue of pressure to cut corners or violate a rule, and as such, the

intention is to offer it exclusively to line-level employees and non-management supervisors.

Initial sessions were extremely successful, with an overall rating for the course of 3.20 on a 4-point scale. Perhaps even more encouragingly, the average response to the post-training evaluation statement "I am well-prepared to handle situations that could lead to violations of City ethics policies and procedures," was 3.34, with 1 representing "strongly disagree" and 4 representing "strongly agree."

Doing the right thing

The survey revealed discouraging statistics about employees' knowledge and use of the city's ethics-related policies and procedures: 31% of respondents said they had never or only rarely sought advice from the rules or another city person or resource when facing an uncertain ethical situation. Additionally, 43% said they had never referred to the ethical policies and procedures when deciding what to do about an incident of misconduct.

Armed with this data, OEI rolled out "Ethics is Everyone's Responsibility," a computer-based online ethics training program focused on compliance. The training specifically addresses areas of misconduct such as sexual harassment, discrimination, falsification of records (including theft of time), conflicts of interest, improper use of position, improper use of city resources, and favoritism/nepotism, among other topics. The training also covers city rules regarding gifts and favors, e-mail and Internet usage, whistleblower protection, and confidentiality, as well as other policies and procedures.

All employees were required to complete the training, but top and middle management were the first to take it, a fact emphasized in the communications campaign that accompanied its launch. Department directors were

provided with template language to let their employees know about the training, which helped clarify the city's ethics policies by using realistic situations in which city employees may find themselves. Further, the training reinforced to employees the importance of carefully thinking through their words and actions in order to protect the public's trust. Because all employees take the training, they come away from it with a shared understanding of city rules, and every member of the city team will be in a position to do the right thing when faced with situations that cause uncertainty. By positioning the training as a value-added proposition, rather than a punishment for the highly publicized ethical lapses of a few employees, OEI set a positive tone for the training.

After taking the course, 61.9% of respondents described themselves as "very knowledgeable" about the city's ethics-related policies and procedures, up from 27.9% before taking the course. This represents a 34% increase. Additionally, nearly 95% of respondents described the quality of the course's content as "good," "very good," or "excellent" and 94% of respondents described their overall experience with the online training in those terms.

Moving forward: Next steps

In its two short years of existence, the City of San Diego's Office of Ethics and Integrity has begun the process of promoting an organizational culture that encourages ethical conduct and a commitment to compliance with the law through ethics training. In coming months, OEI will partner once again with the Ethics Resource Center, with the data being used not only to continue to refine the training strategy, but also to measure the effectiveness of the city's compliance and ethics program. ■

For more information on the Office of Ethics and Integrity, visit www.sandiego.gov/oei.